

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
3 Civil Action No. 1:19-cv-00272

4 MAXWELL KADEL, et al.,
5 Plaintiffs,

6 vs.

7 DALE FOLWELL, in his official
8 capacity as State Treasurer of
9 North Carolina, et al.,
10 Defendants.

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13 VIRTUAL ZOOM VIDEOTAPED DEPOSITION OF
14 PETER ROBIE, M.D.

15 (Taken by Plaintiffs)
16 Winston-Salem, North Carolina
17 Wednesday, September 22, 2021
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21 Reported by Andrea L. Kingsley, RPR
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1 center for a long time. We are the biggest center
2 for the poor in the state of North Carolina. I
3 think I mentioned that earlier. So not only an
4 urgent care, minor emergency room setting, but to
5 primary care office, we deal with the issues of
6 diagnosing all kinds of problems, cancer diagnosis,
7 I just did that two days ago, making the
8 appropriate arrangements. So I'm very much a part
9 of the day-to-day medical world is the point I want
10 to make. I just want that to be -- everyone to be
11 aware that I'm in the trenches a lot these days
12 because of COVID treating very sick people.

13 Q. Earlier Ms. Ravi was asking questions
14 about -- I'm going to sneak up here so I can get in
15 the camera -- Ms. Ravi was asking you questions
16 about when it's necessary to determine or to confirm
17 a patient or potential patient's chromosomal sex. I
18 would like for you talk about as a treating
19 physician when you're diagnosing a patient, for the
20 entirety of your career, is it true that it has been
21 important to know whether the person you are
22 treating, that person's gender, whether it was
23 ultimately confirmed on a chromosomal level or not?

24 A. Well, one issue that comes to mind is
25 heart disease, vascular disease, cardiovascular

1 disease. The American Heart Association has five
2 risk factors for vascular disease, heart attacks if
3 you will, male sex, biological male sex, smoking,
4 diabetes, hypertension, high cholesterol, you can
5 also throw in family history in the mix if you
6 want. Obviously, if a trans female comes in and
7 they're biologically male and we don't know that,
8 we might not be preventively treating them for a
9 heart attack because we're not aware their
10 chromosomal sex is male which increases their risk
11 of cardiovascular death. Blood pressure readings
12 and the cholesterol readings for a biological male
13 are stricter given the number of risk factors they
14 have compared to the female.

15 Q. Would you agree with the statement that
16 as a physician who has been practicing internal
17 medicine for over 40 years, that part of diagnosing
18 the problems of a patient includes knowing whether
19 that person is biological male or female?

20 A. Yes. With regards to cardiovascular
21 disease which is the number one killer in the
22 United States, in terms of preventing that
23 cardiovascular disease, that would be important to
24 know. That's the American Heart Association
25 recommendations.

1 transgender care. To me the upsetness is equal.
2 But the plan is trying to be financially solvent.

3 When I became a trustee, my goal was not
4 to limit increases in cost, my goal was trying to
5 cut the cost of healthcare for our state workers,
6 especially our teachers, some of these individuals
7 are paying 20, 25 percent of their monthly income
8 on healthcare on the State Health Plan that they
9 choose, and I would like to see the cost go down,
10 not be stationary or go up to cover things like
11 transgender. I'm looking for ways we can do all we
12 can do and reduce the amount of charge to the State
13 Health Plan member. Trying to help our teachers
14 out. I think, again, that gets back to the
15 fiduciary duty, do the best you can to be prudent
16 but to help our state teachers and workers, state
17 workers as much as we can so they get the best
18 healthcare they can without financially really
19 being a burden on them like we are now.

20 Q. As a board member making the difficult
21 decision that you have to make individually and
22 collectively as a member of the board because the
23 factor of the potential number of State Health Plan
24 members who you can reach with an added benefit,
25 does that factor into your decision making process?